

### **REMARKS**

Claims 1-40 are pending in the above application.

The Office Action dated March 22, 2006, has been received and carefully reviewed. In that Office Action, claims 1-3, 7-9, 13-15, 19-21, 25-27 and 31-33 were rejected under 35 U.S.C. 102(e) as being anticipated by Drury, and claims 4-6, 10, 16-18, 22-24, 28-30 and 34-40 were rejected under 35 U.S.C. 103(a) as being unpatentable over Drury in view of Fitch. Each of these rejections is addressed below, and reconsideration and allowance of claims 1-40 is respectfully requested.

### **STATEMENT OF SUBSTANCE OF INTERVIEW**

A personal interview was held on June 13, 2006, and attended by Examiner Randy Peaches and Applicant's representative, Scott Wakeman. Claims 1, 4 and 37 were discussed as were the Drury and Fitch references. It was agreed that the portion of Fitch cited in the Office Action did not support the rejection under 35 U.S.C. 103(a). It was further agreed that an amendment to the independent claims to recite a "schedule" instead of a "plan" appeared to distinguish over Drury as well, because Drury did not teach the use of a schedule.

### **SUBSTANTIVE REJECTIONS**

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Drury. During the interview, the meaning of the word "plan" was discussed. In order to further the prosecution of this application, changing the word "plan" to "schedule" was discussed. The examiner appeared to agree that this amendment would distinguish claim 1 over Drury. By the above amendment, Applicant has changed each occurrence of "plan" to "schedule." Reconsideration and allowance of claim 1 is respectfully requested in view of the above amendment.

Independent claims 7, 13, 19, 25 and 31 have also been amended to change "plan" to "schedule," and these claims are submitted to be allowable for at least the same reasons as claim 1. Dependent claims 2-6, 8-12, 14-18, 20-24, 26-30 and 32-36 are submitted to be allowable for at least the same reasons as the independent claims from which they depend. Reconsideration and allowance of these claims is also respectfully requested.

Claim 37 was rejected under 35 U.S.C. 103(a) as being unpatentable over Drury in view of Fitch. As discussed during the interview, the portion of Fitch cited in the Office Action does not support the present rejection. Applicant submits that Fitch in its entirety also does not support the present rejections because Fitch in no manner suggests the concept of "additional time" as required by claim 37. Claim 37 has been amended to add two commas as suggested during the interview, but no substantive changes have been made. Reconsideration and allowance of claim 37 is therefore respectfully requested.

Claims 38-40 depend from claim 37 and are submitted to be allowable for at least the same reasons as claim 37.

Claims 4-6, 10, 16-18, 22-24, 28-30 and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drury in view of Fitch. As discussed during the interview, Fitch does not describe the concept of "spare time" or "additional time" as stated in the Office Action. The withdrawal of the rejections of claims 4-6, 10, 16-18, 22-24, 28-30 and 34-36 as being unpatentable over Drury in view of Fitch is therefore respectfully requested.

#### CONCLUSION

Each issue raised in the Office Action dated March 22, 2006, has been addressed, and it is believed that claims 1-40 are in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

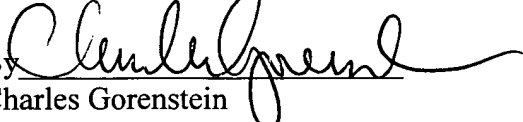
Application No. 09/987,143  
Amendment dated June 15, 2006  
After Final Office Action of March 22, 2006

Docket No.: 0033-0775P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: June 15, 2006

Respectfully submitted,

By 

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